

March 30, 1933.

Mr. Clarence Houston,
County Attorney,
Tucson, Arizona.

Attention: Mr. Odin B. Dodd.

Dear Sir:

The Board of Supervisors of your County has referred to this office for attention your opinion relating to the power of the Board of Supervisors to remove and change the salaries of deputies of various county officers, and particularly the deputy of the County School Superintendent, and has requested that the Attorney General give his opinion upon this matter. In accordance with the practice of this office we are referring our opinion to you for attention.

It is the opinion of the Attorney General that the Board of Supervisors, pursuant to the provisions of Section 828, R. C. A. 1928, may remove the Chief Deputy of the County School Superintendent and any other deputy, stenographer, clerk or assistant of any county officer, who is appointed by and with the consent of the Board. The Chief Deputies of the officers enumerated in Section 2794, R.C.A. 1928, with the exception of the Chief Deputy of the Superintendent of Schools, are not subject to removal by the board. It is also the opinion of the Attorney General that once the Board of Supervisors has fixed the salaries to be received by those deputies enumerated in the provisions of Section 2794, supra, such salaries cannot thereafter be changed during the term served by such deputy. The term of office of appointive deputies is co-terminus with that of the appointing power, unless sooner removed. The salaries of all other deputies, stenographers, clerks and assistants, which have not been fixed by law, but are fixed solely by the Board of Supervisors, may be changed by the Board at any time.

Very truly yours,

Attorney General

By

Assistant Attorney General.

JRM:MD

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